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TARGET STORES, a division
of Target Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DYLAN LAMM, a minor by and through his
guardian ad litem MARY CATHERINE
DOHERTY; and KEVIN LAMM,

Plaintiffs,

vs.

BUMBO, BUMBO LIMITED, BUMBO (PTY)
LTD.; TARGET CORPORATION; and DOES
1 to 20,

Defendants.

CASE NO. 07-04807 MHP

**JOINT CASE MANAGEMENT
CONFERENCE STATEMENT**

DATE: July 14, 2008
TIME: 3:00 p.m.
DEPT: Ctrm. 15, 18th Floor
JUDGE: Hon. Marilyn Hall Patel

1 (1) Jurisdiction and Service:

2 Plaintiff has attempted to serve Bumbo Pty in South Africa and Texas.
3 Bumbo PTY Limited has specially appeared to filed a Motion to Quash Service and
4 Dismiss for Improper Service, Lack of Personal Jurisdiction and Failure to Serve. The
5 Court has determined that while service has not yet been properly effected, the Court
6 does have jurisdiction over Bumbo PTY Ltd.. Pursuant to the Court Order, the Plaintiffs
7 have requested, again, that counsel for Bumbo PTY Ltd. accept service. They would not
8 agree. Also pursuant to the Court's Order, Plaintiffs issued formal Notice of a Lawsuit
9 and Request to Waive Service of Summons to Bumbo PTY Ltd.'s owner at its corporate
10 headquarters in South Africa. This process was followed in this case as well as the
11 related case of *Whitson v. Bumbo*. The time to respond to such notice will run on
12 August 12, 2008. Plaintiffs have not heard a response to date. In the meantime,
13 Plaintiffs have retained the services of a professional international process server. They
14 have prepared the formal request for letters rogatory that will be submitted to the Court
15 shortly for review and approval. Now that the Court has made clear its intent to exercise
16 jurisdiction over it, hopefully, Bumbo PTY Ltd. will waive the international service
17 procedures and this case can move forward more expeditiously.
18 procedures and this case can move forward more expeditiously.

19
20 (2) A Brief Description Of The Events Underlying The Action:

21 The case is essentially one of product liability surrounding the safety of the
22 Bumbo Baby Sitter – a foam seat designed to hold infants before they are strong enough
23 to sit up on their own.
24

25 (3) Motions:

26 While the Parties are not in a position to anticipate every possible pre-trial
27 motion as they are still in a very preliminary stage in the litigation, they anticipate
28 motions relating to discovery issues, especially as they relate to documents maintained

1 by the unanswered Bumbo defendants.

2 (4) Amendment of Pleadings:

3 Plaintiffs may amend the complaint to name Bumbo International.

4 (5) Evidence Preservation:

5 Plaintiffs requested that Defendant Target preserve their data regarding
6 their gift registry, as the Bumbo product in question was purchased at a Target store as
7 a result of the Plaintiffs' participation in the Target gift registry. This has been done.

8 (6) Disclosures:

9 The Parties have exchanged initial disclosures under Rule 26, Fed. R. Civ.
10 Pro..

11 (7) Discovery:

12 Defendant Target has propounded interrogatories and request for
13 production of documents to Plaintiffs regarding the nature and extent of injuries.
14 Plaintiffs are preparing discovery requests to obtain information from Target concerning
15 the purchase of the Bumbo Sitter in question and Target's relationship with Bumbo PTY
16 Ltd.

17 (8) Related Cases:

18 This case has been related to *Wendy Whitson v. Bumbo, et al.*, a class
19 action lawsuit relating to the purchase of the product. Service issues in this related case
20 are identical to those here (see Number 1 above).

21 (9) Relief:

22 Plaintiffs seek personal injury damages (economic and non-economic) as
23 well as injunctive relief.

24 Defendant seeks dismissal of the action and its costs of suit.

25 (10) Settlement and ADR:

26 Plaintiffs and Target have agreed to mediation.

27 (11) Consent To Magistrate Judge For All Purposes:

28 Plaintiff does not so consent.

1 (12) Other References:

2 The Parties propose no other references at this time.

3 (13) Narrowing of Issues:

4 The Parties are committed to narrowing the issues as much as possible,
5 and will meet and confer regarding same.

6 (14) Expedited Schedule:

7 Given the difficulty with service of the Bumbo defendants the parties do not
8 believe expedited scheduling is appropriate.

9 (15) Scheduling:

10 The parties request that scheduling of discovery and pretrial deadlines
11 should be postponed until service of the Bumbo defendants are completed and
12 appearance have been made.

13 (16) Trial:

14 Plaintiffs and Target have requested a jury trial. The Parties estimate a
15 12-15 day jury trial.

16 (18) Disclosure Of Non-Party Interested Entities Or Persons:

17 There are no non-party interested persons known to the Plaintiffs or Target

18 Respectfully submitted,

19 DATED: July 7, 2008

EDGAR LAW FIRM

20 By: /s/

21 JEREMY R. FIETZ
22 Attorneys for Plaintiffs

23 DATED: July 7, 2008

BOORNAZIAN, JENSEN & GARTHE

24 By: /s/

25 GAIL C. TRABISH
26 Attorneys for Defendant Target
27
28

CERTIFICATE OF SERVICE
(28 U.S.C. §1746)

I am employed in the County of Alameda, State of California. I am over the age of 18 years and not a party to the within action. My business address is 555 12th Street, Suite 1800, P. O. Box 12925, Oakland, California 94604-2925.

On the date indicated below, I caused a copy of the **CASE MANAGEMENT STATEMENT** to be served electronically to the following parties as required by the court's ordered Electronic Case Filing (ECF) Program.

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**Attorneys for Defendant
Bumbo (PTY) Ltd**

I declare under penalty of perjury that the foregoing is true and correct. Executed at Oakland, California on July 7, 2008.



Alexine Braun

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